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December 12, 2024

VIA ECF

The Honorable Lewis A. Kaplan
United States District Judge
Southern District of New York
United States Courthouse Room 21B
500 Pearl St.
New York, NY 10007

Re: *Elizabeth Stachovic, et al. v. Pig Newton, Inc.*, Case No. 1:24-cv-6589

Dear Judge Kaplan:

We represent defendant Pig Newton, Inc. (“Defendant”) in the above-referenced putative class action pending before this Court. Through this letter motion, the parties jointly request that the Court extend the time for: (1) Defendant to respond to Plaintiff’s Class Action Complaint (the “Complaint”), up to and including January 24, 2025; and (2) Plaintiff to file her response to any motion to dismiss, up to and including February 24, 2025, in order to allow the parties time to engage in settlement discussions. In support thereof, the parties state as follows:

Plaintiff alleges that Defendant installed tracking technology, specifically a snippet of code referred to as the “Meta Pixel,” on Defendant’s website, louisck.com (the “Website”). Plaintiff further alleges that the Meta Pixel collected and transmitted to Meta (f/k/a Facebook) the private viewing information and other personal information of consumers who purchased prerecorded video materials on the Website. Based on these allegations, Plaintiff alleges that Defendant violated the Video Privacy Protection Act, 18 U.S.C. § 2710 (“VPPA”).

Pursuant to this Court’s minute entry dated November 13, 2024 (Dkt. No. 14), Pig Newton’s response to Plaintiff’s Complaint is due on December 18, 2024.

The parties continue to explore the potential for early resolution of this matter in good faith. Due to the complexity of the technical issues involved in this case, the parties request additional time to analyze those technical issues so that they may engage in meaningful settlement discussions. This is the parties’ third request for an extension of time. This extension is not sought for delay or for any other improper purpose, and no party will be prejudiced by the granting of it.

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Additionally, in the event Defendant files a motion to dismiss the Complaint, the parties request an extension up to and including February 24, 2025, for Plaintiff to file her response thereto.

Accordingly, the parties respectfully request that this Court enter an order: (1) granting this letter motion in its entirety; (2) allowing Defendant up to and including January 24, 2025, to file its response to the Complaint; and (3) allowing Plaintiff up to and including February 24, 2025, to file her response to any motion to dismiss.

Thank you for your time and consideration of this request. We will await further word from the Court.

Very truly yours,

A handwritten signature in dark ink, appearing to read "R. David Lane". The signature is fluid and cursive, with the first name "R." and last name "Lane" clearly distinguishable.

R. David Lane, Esq.